

The Research Review is a publication of the Research Division of the Tennessee House of Representatives

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Agriculture

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In the **Agriculture Committee** this week the State Forestry Commission presented an overview of its 2001 Annual Report and discussed the recent certification of the state's 158,000-acre forest system. The Commission has been in the process of seeking certification by the Forest Stewardship Council, and on Monday, January 28th, Governor Sundquist announced that it is now certified. This means that the forest management practices of a landowner will be audited by an independent organization to ensure environmentally sound practices are being used. Tennessee is the first state in the Southeast to be granted certification.

Additionally, the Commission reported that the state's forests are in good shape and showcase good forest practices. The wood products industry in Tennessee provides 166,400 jobs and \$4.4 billion in wages annually. Tennessee ranks #1 nationally in production of hardwood flooring and pencils and #2 in hardwood lumber. Yet, on average, the state's forests are growing wood twice as fast as it is being harvested for the wood products.

Fortunately, more than \$3 million in federal matching funds has been made available for landowners that need assistance recovering from the pine beetle outbreak. Those interested in applying for funds should contact the area forester responsible for the county where their land lies.

The Agriculture Department has also purchased a 2,600-acre tract in Cocke

County, which gives the Forestry division a state forest representative

from each of the state's major physiograph areas except for west Tennessee's river bottomlands.

Meanwhile, forest fires ravaged the state this fall resulting in FEMA declaring a fire emergency in several counties. Therefore, the state is eligible for federal disaster assistance which pays 75% of fire suppression costs. Eighteen arrests have been made this year against suspected arsonists.

The Marketing and Commodities

Subcommittee also met this week and sent **HB 1818 (Givens)** to the full committee. The bill revises the Tennessee Agricultural Regulatory Fund so that certain fees would also be deposited in the fund. The subcommittee approved an amendment that would rewrite the provisions of the bill.

The **Agriculture Resource and Industry Subcommittee** had no bills on notice this week and did not meet.

Children & Family Affairs

Shannon Romain

The full committee and subcommittees of **Children and Family Affairs** did not meet this week.

Commerce

Chris McGrew

The **Utilities & Banking Subcommittee** of the House Commerce Committee met Tuesday

with one bill on the calendar. HB 1268 (by Wood) would allow the Tennessee real estate commission to waive the requirement that every broker keep an escrow or trustee account of deposited funds related to real estate. The bill was passed on to full committee.

Conservation & Environment

Greg E. Adkins

The full **Conservation & Environment Committee** met on Wednesday, January 23rd to discuss the Spencer sewage plant water permit. TDEC Commissioner Milton Hamilton said the department was limited only to speak about the merits of the sewage plant permit because of a pending court case on the subject. The committee reviewed if the affluent or sewage spill from the new plant could harm the Rumbling Falls Cave System below Fall Creek Falls State Park. Issues discussed were (1) whether the permit process was completed legally and by department standards, (2) should a biological survey have been done, (3) will the affluent or raw sewage hurt the cave system, and (4) what alternative is there to dumping the waste into the cave system. Will Callaway from the Tennessee Environmental Council and William Overton from the Nashville Grotto also testified that the affluent or sewage could harm the cave ecosystem. They also testified that the cave could be one of the largest in the world.

The full committee and subcommittees of Conservation and Environment did not meet the last week of January.

Consumer & Employee Affairs

Shannon Romain

The **Consumer and Employee Affairs Committee** and its subcommittees did not meet this week.

Education

Jessica Peccolo

Education Oversight Final Report

The **Education Oversight Committee** met on two different occasions to hear testimony during the off session. On September 11, 2001, the group was called together to hold an organizational meeting. The second meeting took place on October 22-23, 2001, and was followed by a meeting on December 17-18, 2001. A third meeting was held on Wednesday, January 16, 2002, at the

request of the sponsors of the legislation studied by the Oversight Committee.

Several presentations were made to the Education Oversight Committee during those meetings. The following is an accounting of the individuals or organizations who made presentations and the focus of their remarks.

** Tennessee Board of Education* - The Board of Education made its annual report on the Volunteer Public Trust Fund. This fund was created by the General Assembly to encourage voluntary contributions to public education in this state. At the time of the presentation, the VPT fund had \$12,356.45 in interest which it was channeling into programs across the state that encourage parent involvement in schools.

** Tennessee Higher Education Commission* - THEC made presentations during both meetings of the Oversight Committee. The first was to report the progress made in articulation. At the time of the report, the 60-hour core of classes had been established. A student who has successfully completed those sixty hours at any public 2 or 4-year school in Tennessee is able to transfer those sixty hours to any other public school in the state without losing any credit hours. At the December meeting, THEC made a presentation to the members about the status of higher education in Tennessee.

** Department of Education* - Commissioner Taylor and her staff made reports to the Oversight Committee on both meeting dates about the budget cuts the department has made and how those cuts have affected extended contract money. Currently, the remaining extended contract money has been flagged in case any more cuts are taken from the department. The threat of losing those funds has caused many school systems to cancel the programs funded with extended contract money.

** Chuck Laine of Laine Communications* - Mr. Laine made a presentation to committee members about the teacher shortage and different methods of teacher recruitment and retention.

** Tennessee Board of Regents* - Dr. Charles Manning gave a report on the progress made in the merger of the Nashville School of Law and Tennessee State University as was ordered in the Geier desegregation case. According to Dr. Manning, a proposal has been drafted and negotiations are underway.

The Oversight Committee heard testimony on seven bills during the first two meetings in October and December. Those bills heard were:

** HB 1705 (Maddox) and HB 1706 (R. Davis)* - Both of these bills deal with the requirements of individuals who serve as vocational directors in schools. Currently, the

minimum standard for a vocation director is a bachelor's degree with an emphasis in a vocational field, three years vocational teaching experience, and two years work experience in a related field. There are 14 Tennessee schools that have asked for waivers for currently employed vocational directors who do not meet these standards. Both sponsors intend to continue work on this legislation during the 2002 session.

* **HB 0273** (Davidson) - HB 0273 calls for the consolidation of city systems and special school districts with their county system. Both the Tennessee School Board Association and a representative of the Shelby County School Board spoke out against the consolidation of schools during these hearings.

* **HB 0214** (Davis, R) - HB 0214 allows for the creation of a special school district, but only if both the local board of education and the local county commission vote for such action. At the time of the January meeting of Education Oversight, sponsors of this legislation believed that negotiations between TEA and TSBA resulted in both groups being in support of the legislation.

* **HB 1180** (Chumney) - HB 1180 creates certain guidelines to be followed for pest control programs in schools. Sponsors of this bill were not on hand during the meeting to speak to the need for this legislation. The Tennessee Pest Control Association testified that while they were certainly in favor of some regulations being established, this bill was much too restrictive to be effective and economically reasonable. The Tennessee School Board Association also spoke out against the legislation for the same reasons.

* **HB 1571** (Rinks) - HB 1571 changes the cut-off birth date for students wishing to enter kindergarten from September 30 to July 31. Principal Donna King of Nixon Elementary School testified in favor of the legislation stating that the current kindergarten classrooms are composed of too wide a range of ages, which can be difficult for teachers to manage. There are some students who are starting at age 4 while others are starting at 6 years old. Ethel Detch of the Division of Education Accountability in the Comptrollers Office also made a testimony regarding this bill. According to Detch and her studies, the three factors most affecting a child's success in school are his emotional make-up, his progression through developmental stages, and his exposure to preschool environments. Both Ms. Detch and Commissioner Taylor stated it is the child's readiness, not his age that matters. Another problem highlighted during testimony on this bill is that if this legislation were to be enacted, because of the way the BEP is set up, schools would be over-funded the

first year and under-funded the second year before equaling out in the third.

* **HB 1795** (Tindel) - This legislation would allow children to be exempt from computer instruction in schools if requested by the child's parent due to religious reasons. Mr. Floyd Rochant testified to the committee on behalf of his religious group. According to Mr. Rochant, computers do too much work for students and also allow access to the Internet, which in his opinion is immoral, and a bad influence.

At the end of the December meeting, at the request of Oversight member Senator Jo Ann Graves, Chairs Winningham and McNally gave sponsors until the first week in January to let committee staff know if they wanted a formal recommendation issued on their bills. Sponsors of HB 1705, HB 0273, HB 0214, HB 1571, and HB 1795 asked that a third meeting of Oversight be called during the start of session in 2002 so that recommendations could be made. When the committee met on January 16, members voted to return each of the bills to the House and Senate Education Committees. Members felt that because they were unable to study each bill thoroughly due to time constraints and the ongoing developments affecting much of the legislation, it would be premature to make any recommendations. It is the intention of the members of the Education Oversight Committee that each of the bills heard be sent to House and Senate Education Committees where further testimony can be heard from the Department of Education, the State Board of Education, TSBA, TEA, and other interested parties.

Education Committee Meeting, January 22, 2002

There were no bills to be considered for the first meeting of the House Education Committee in 2002. Chairman Winningham invited Commissioner Faye Taylor of the Department of Education, Chancellor Charles Manning from the Tennessee Board of Regents, and Tom Ballard from the University of Tennessee to come and make a few remarks to committee members.

Commissioner Taylor spoke briefly on the success of the first administration of the Gateway tests. The testing in December went smoothly, and the use of regional grading facilities enabled the department to return scores back to schools in time for end-of-term grades to be issued. While preliminary results of the test scores look promising, the Commissioner urged legislators not to be hasty to judge the results until the spring administration of the test when a larger and more diversified group of students will be participating. Commissioner Taylor thanked legislators for investing the funds needed to develop the assessment

system and said that as a result of those funds, Tennessee is a leader in the area of assessment.

While Tennessee has made great strides in assessment, Taylor referenced a recent report done by Education Weekly that shows other areas in which Tennessee still needs improvement. In math and science achievement, 4th graders in Tennessee rank 28th and 24th respectively while 8th graders rank 33rd and 26th in the same subjects. In the area of standards and accountability Tennessee ranks 25th, but this ranking does not reflect recent improvements brought on by Gateway testing. Tennessee ranks 46th in the adequacy of resources allotted to education. Commissioner Taylor reflected on this ranking by saying, "It isn't so much the amount of money spent as it is the manner in which it is spent, but you can't spend what you don't have." Her presentation ended with a report that Tennessee's drop-out rate had fallen from 15.2% in 1997-98 to 13.9% presently.

Chancellor Manning spoke on TBR's attempts to meet the legislature's challenge to find ways to reduce spending. TBR has spent several months and consulted with thousands of people statewide to come up with the following ways in which they plan to reduce spending:

- * Reduce the cost of remedial and developmental education.
- * Reduce the cost of earning a degree.
- * Reduce the time it takes for transfer students to earn a degree.
- * Reduce the cost or eliminate ineffective off-campus programs.
- * Eliminate under-performing academic programs.
- * Share and pool resources system wide.

Under each of these categories, TBR has come up with several ideas of how to go about reducing costs in those areas. The next stage is for administrators to decide how to proceed and make the cuts that will have the least amount of negative repercussions.

Joint Education Committee Meeting, January 29, 2002

The House and Senate Education Committees held a joint meeting on Tuesday to hear from **Dr. William Sanders** on value added testing. Dr. Sanders reported that Tennessee was the only state who had a system of assessment that enabled educators to track the progress of each individual student. In October of last year, Tennessee also became the only state to have this diagnostic material on-line, accessible on the Department of Education home page. The data is available in two forms, one open to the public and the other accessible to only those education administrators authorized. Dr. Sanders showed committee members how to navigate through the data and then answered questions for the remainder of the meeting.

K-12 Subcommittee Meeting, January 30, 2002

Four bills were on the first calendar of the **K-12 Subcommittee**. **HB 0247** (Caldwell) establishes guidelines for transporting special needs or medically fragile children. The legislation includes the following guidelines:

- Vehicles purchased after 7/31/00 must have air conditioning and heating systems.
- Personnel must have training for procedures during emergencies.
- Policies must exist for handling health and safety situations that may arise.
- Vehicles need to have some outside form of communication such as two-way radios or cell phones.
- Vehicles must have first aid kits and supplies on hand.
- Children riding these vehicles must not be subjected to rides longer than 1 hour.

Several committee members expressed their support of the bill while acknowledging that the large fiscal note will make it difficult for the bill to make it out of Finance unless new revenue is available. Representative Caldwell, sponsor of this bill, said that he believed many school systems already complied with some of these guidelines so the fiscal note may be misleading. HB 0247 was passed to the Education Committee.

The only other bill that was passed in K-12 this week was **HB 2047** (Sands). This bill expands the maximum number of school board members from ten to twelve. If passed, counties will not be required to increase school board membership to twelve, but will have that option. Representative Sands said that this bill is a response to a local request. Committee members voted to pass the bill on to full committee.

HB 1012 (DeBerry, J) was rolled one week. Representative Montgomery took his **HB 2104** off notice.

The **Higher Education Subcommittee** did not meet.

Finance, Ways & Means

*Cathy Higgins
Denise Sims*

January 29, 2002

The **Finance Ways and Means Committee** had one bill on calendar this week (HB 2330 by Rep. Head). It was rolled two weeks at the sponsor's request.

Presentation by the Comptroller

The full committee received a presentation from Mr. John Morgan, Comptroller, on the **State's Financial Challenge**. All members of the House of Representative's were invited to attend and participate in the discussion.

Mr. Morgan outlined a four-year review of the State's General Fund for fiscal years 1999-00 to estimated 2002-03. In fiscal year 00-01, revenues were \$99.9 million more than the previous year. However, it was noted that the revenue generated included the impact of the LLC/LLP tax law change that generated new revenue of \$140 million. Had this change not occurred, revenues would have been \$40 million below 99-00 collections of \$6.043 billion.

For the current fiscal year (01-02) it is estimated that revenues will be \$131 million below what was collected in FY 00-01. Based on the Funding Board estimates, new revenue growth for fiscal year 02-03 is estimated at \$175 million. For all four years' total general fund revenue ranged from \$6.0 to \$6.1 billion.

Through December 2001 revenue collections, the two major revenue sources (franchise and excise tax, and sales and use tax) are coming in under estimates by \$87.1 million and \$70.5 million, respectively. The General Fund is \$146.7 million below estimate, and Total Revenues are \$156.2 million below estimate.

Based on current and anticipated requirements for the current fiscal year, it is estimated that \$350 million will be needed to close the books. This recognizes the current revenue shortfall as well as funding requirements for Homeland Security, reopening state parks, and health insurance premiums.

For fiscal year 2002-03, it is estimated \$405 million will be needed to maintain current funding levels. This recognizes the shortfall of \$350 million and the recurring deficit (one-time money used for recurring expenses) of \$230 million as well as estimated new revenue of \$175 million. Mr. Morgan noted use of the \$560 million in tobacco funds and well as actions taken in the recent years (use of one-time money and reserve funds) contributed to the growing recurring deficit.

Obligatory items were also outlined totaling \$276.6 million that will need to be addressed in fiscal year 2002-03. This includes

- \$138 million for medical inflation and enrollment growth in TennCare;
- \$45 million to fully fund the BEP;
- \$47.6 million for health insurance premium increase;

- \$12 million for retirement contribution;
- \$6 million for Higher Education's Geier Settlement;
- \$5 million for statutory pay increases;
- \$5 million for medical inflation increase in mental retardation services;
- \$12 million for the Department of Children Services to addresses court cases and declining federal match;
- \$4 million for correctional needs; and
- \$2 million for the Brian A. Settlement in TennCare and Children Services.

Needed improvements that the General Assembly may want to anticipate for fiscal year 2002-03 totals around \$421.4 million. This includes:

- \$113.7 million for a 3% salary increase;
- \$20 million for employee classification compensation;
- \$5 million to continue the deferred compensation;
- \$91 million for higher education initiatives;
- \$41.7 million to restore grants that were moved to non-recurring;
- \$50 million for a K-12 education reading and pre-kindergarten program; and
- \$100 million for capital maintenance/programs and other agency needs.

Also a concern facing the General Assembly is the potential need to use most if not all of the Rainy Day fund to close the books for the current fiscal year, if new revenues are not available. If this happens it will be necessary to rebuild the fund. The amount estimated to take care of this is \$122.6 million.

To summarize the above information:

FY 01-02	(millions)
Revenue Shortfall	\$350
Recurring Deficit	230
Subtotal	\$580
FY 02-03	
Estimated new Revenue	\$175
Subtotal (maintains current spending level)	\$405
Obligatory Needs	\$276.6
Subtotal	\$681.6
Needed Improvements	\$421.4
Subtotal	\$1,103.0
Rainy Day Fund	\$122.6
Total	\$1,225.6

It was noted during discussions that if a new revenue option generating \$1.2 billion were initiated, Tennessee's national ranking would move from 50th to 49th. Among

the 12 southeastern states, Tennessee would remain at the bottom (12th).

Tennessee's bond rating was also discussed. Mr. Morgan indicated that the state is going to the bond market on February 4th and that the rating agencies have stated that they will not downgrade Tennessee before that time. Tennessee's rating is now at AA with a negative outlook. However, if Tennessee does not address its structural deficit during this budget cycle, Tennessee will be further downgraded. If Tennessee is downgraded to a single A, the State will have gone from one of the top rated states (AAA) to the lowest (A) in three years. It was explained that the reason Tennessee obtained the AAA rating was the State's history of investing in its people and infrastructure.

Based on Tennessee's recent revenue collection history, the ability to generate the new revenue estimate of \$175 million for fiscal year 2002-03 was also discussed. Mr. Morgan stated that all the economists presenting to the Funding Board meeting stated that the risk is on the downside of collections. All agreed that the economy should improve during the current calendar year; however, "when" no one could pinpoint. The State has little flexibility to address even a modest shortfall in revenue collections.

Poor performance of the sales tax was also discussed and it is believed that the inadequacy of the tax goes further than a slowing economy. Growing use of the Internet for purchases contributes to the erosion of the sales tax base. It is estimated that 75% of Tennessee's sales tax erosion comes from business-to-business purchases over the Internet. Also noted was that an increase in the sales tax will not do anything to address the state's structural deficit or its bond rating.

NCSL's Response to New Education Legislation **January 29, 2002**

On Tuesday, the committee also heard a presentation from NCSL's David Shreve on the reauthorization of the federal **Elementary and Secondary Education Act (ESEA)**. Mr. Shreve, out of NCSL's Washington, D.C. office, is Senior Committee Director for the Assembly on Federal Issues' Committee on Education, Labor & Workforce Development. The reauthorization of the ESEA, which President Bush signed into law on January 8th, and which is effective for fiscal Years 2002 - 2007, sets forth-sweeping changes in a number of areas. Because of the magnitude of the changes, the legislation has been called "No Child Left Behind."

Among other things it:

- ...requires annual state tests in reading and math for students in grades 3 - 8 beginning in the '05-'06 school year;
 - ...has limited consolidation of similar program and development funds;
 - ...requires schools to raise students to reading and math proficiency in the next 12 years. The Annual Yearly Progress concept (AYP), which formerly was applied only to disadvantaged students, is to be applied to all students. Sanctions for failing to meet state defined AYP goals are put into place, and corrective actions will be the responsibility of the local school districts (LEAs). There will be no loss of State Education Agency (SEA) federal administrative funds however, and there will be no sanctions for states.
 - ...requires that in 3 years, all teacher aides hired under Title I Compensatory Education Funds must have completed at least 2 years of post-secondary education, *or* an associate's degree, *or* a "rigorous" standard of quality established at the local level.
 - ...says that each state education agency (SEA) must develop and submit a plan to the U.S. Secretary of Education to ensure that all teachers are "highly qualified" by the end of the '05-'06 school year. SEAs must also establish measurable annual objectives for increasing the percentage of qualified teachers and the availability of quality professional development. There are no apparent sanctions for failure to comply.
 - ...continues the federal tradition of using "SEA" and "state" interchangeably.
- In his presentation to Tennessee legislators here on Tuesday, Mr. Shreve outlined nine issues relating to the new legislation that NCSL feels may have far reaching effects on states. These were the same concerns NCSL delivered to House and Senate Chairmen in Washington during conference deliberations on the House and Senate versions.
- Annual Testing. NCSL's letter to the chairmen stated that there is no compelling or convincing argument that an effective accountability system must include annual testing in multiple subjects. It read, "A federal mandate for annual testing is a senseless preemption of successful state accountability systems that do not include annual testing."
 - Accountability. The letter says the requirement to use a standardized statewide testing instrument ignores state systems that now use a combination of state and local testing.
 - Testing Costs. NCSL says funding to assist states in the development and administration of the annual state testing requirements is inadequate for successful implementation.
 - Adequate Yearly Progress (AYP). NCSL says the AYP would classify most of the nation's schools as

"failing." They asked for an acceptable alternative threshold.

- Data Collection and Reporting. NCSL is concerned that the majority of states do not have a system with the capacity to store and process this amount of information. The Conference is also concerned about possible use and misuse of data collected.
- Teacher Quality. This requirement "ignores the logistics of hiring over 2.2 million new teachers needed in the next decade." NCSL contends that pressuring compliance could lead to policymakers "diluting the certification process," and ending up with more teachers who are certified but not necessarily more who are qualified. It says a state's performance should be measured against its own progress.
- Governance. NCSL says ESEA remains the only major federal program in which a substate agency is specifically identified as the recipient of federal funds.
- The National Education Goals Panel. The legislation does not address the continuation of what NCSL calls an "effective intergovernmental effort."
- IDEA (Special Education). This unfunded federal mandate is an important commitment for the nation's legislatures. NCSL says the mandate remains the "single most intractable education issue we face as we attempt to improve the performance of our state systems."

Following the presentation, there were a few questions for Mr. Shreve concerning teacher aide mandates, unfunded mandates and non-supplant (non-substitutable) provisions. The Finance Committee wanted to hear NCSL's response to the new legislation in light of the responsibilities that it entails.

Government Operations

Ryan Swindell

The **Government Operations Committee** had no bills on notice and did not meet.

Health & Human Resources

Judy Narramore

The **Health & Human Resources Committee** held its first meeting of the second session on Tuesday, January 22, 2002. Chairman Armstrong introduced one new committee member, Representative Casada of Williamson

County, as well as new and returning committee staff. The remaining committee time was devoted to an update on the TennCare waiver proposal. The State is requesting a three-year, \$13 billion extension of its TennCare waiver. John Tighe, Deputy Finance Commissioner, presented key elements of the proposed waiver, including program design, structural elements, design features, and modifications to the original waiver proposal. A copy of Commissioner Tighe's handout may be obtained from the Health committee office.

On January 29 there were no bills on notice and the Health committee did not meet.

To date, the Health **subcommittees** have not met.

Judiciary

Paige Edwards

On Tuesday, the **Civil Procedure & Practice**

Subcommittee met to consider 17 bills. The following bills were taken off notice: HB 373 by Representative Whitson, HB 385 by Representative Bowers, HB 1130 by Representative Winningham, HB 1480 by former Representative Williams, HB 1861 by Representative McCord, HB 1900 by Representative Givens, HB 1218 by Representative Buck, HB 827 by Representative Fowlkes, HB 773 by Representative Briley, HB 1563 by Representative Briley, HB 1564 by Representative Briley, and HB 1565 by Representative Briley. HB 1001 by Representative Bowers, HB 338 by Representative Buck, and HB 341 by Representative Buck were rolled for one week. HB 1210 by Representative Clem and HB 2046 by Representative Bittle were rolled for two weeks.

On Wednesday, the **Judicial Administration**

Subcommittee met to consider three bills. HB 1128 by Representative Windle was taken off notice.

HB 896 by Representative Buck was sent to the full committee. HB 896, as amended, would provide incentives for judges to participate in the senior justice program. In effect, increased participation in the senior justice program would be cost efficient and would provide assistance for courts with heavy caseloads. This senior justice program was established in 1990 for judges who are at retirement age and who want to continue to provide judicial services in a limited capacity.

Also, HB 2055 by Representative Windle was sent to the full committee. This bill provides an enabling statute for Public Chapter 175 which authorizes vested correctional officers to carry firearms at all times. It enables the

secretary of state to issue identification cards to vested correctional officers.

On Wednesday, the full **Judiciary Committee** met to consider seven bills. Representative West rolled HB 1091 and HB 1108 for two weeks. HB 336 and HB 361, both by Representative Buck, were rolled for one week. Representative Boyer rolled HB 560 for three weeks. Two bills by Representative Chumney were taken off notice, HB 402 and HB 589.

State & Local Government

Lawrence Hall, Jr.

The **State and Local Government full committee** heard testimony from Rae Young Bond of The Tennessee Municipal League and Bob Wormsley of the County Governments' Association. Both representatives made a request to committee members not to use state-shared revenues when balancing the budget. They also made it clear to the committee that if state-shared taxes are used to balance the budget, property taxes will have to be increased or cuts will have to be made to free up the revenue to run local governments. TML recommends that some form of an income tax be implemented to generate the revenue to balance the budget.

In the **Local Government Subcommittee** this week, HB 282 by Rep. Turner (Davidson) failed on a roll call vote. This bill would prohibit a landfill from being constructed within two miles of a park or other government recreation facility in Davidson County. HB 366 by Rep. Bowers, and HB 1013 by Rep. John DeBerry were both rolled for one week.

There were no bills in any of the other subcommittees this week.

Transportation

Greg E. Adkins

Committee Meetings - January 23rd, 30th

The full **Transportation Committee** met on Wednesday, January 23rd and had guest speakers. Ben Smith, Director of the Department of Transportation's Public Transit, Rail & Waterways Division, testified about railroad issues facing Tennessee. The issues covered:

- (1) the need to update railroads where gaps exist in rail service,
- (2) the new railroad plan,
- (3) the impact on railroads if the Chickamauga Lock closed, and
- (4) high-speed rail that could connect Nashville to Chicago and Atlanta.

The full **Transportation Committee** also met on Wednesday, January 30th. Mike Shinn, TDOT's Chief of Administration, discussed the \$158.8 million loss of federal road money. This will be the first reduction of RABA (revenue aligned budget authority) funds since the Transportation Equity Act of the 21st century was passed. According to TDOT officials the decrease of funds is due to the economic downturn. The reduction could have a significant impact on road construction across the state.

The committee also considered two license plate bills that were rolled for two weeks. The first bill, HB 2004 by Chairman Ridgeway, creates a "United for America" license plate. The proceeds will go to TEMA. The second bill, HB 2048 by Rep. Beavers, creates a "United We Stand" license plate with proceeds also going to TEMA.

The **Transportation and Safety Planning Subcommittee** met on Wednesday, January 23rd and had three bills on the calendar. HB 186 by Rep. Brooks was taken off notice; the bill banned cell phones while driving. The remaining two bills, (HB 2044 and HB 2048, the American flag license plates discussed in the previous paragraph) were the bills passed on to the full committee.

*For Additional Information Or Copies, Contact
The House Research Division At 741-3025.*